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April 5, 2024

VIA ECF

Magistrate Judge James M. Wicks
United States District Court
Eastern District of New York
100 Federal Plaza, Courtroom 1020
Central Islip, New York 11722

Re: Superb Motors Inc. et al. v. Deo et al., Case No. 23-cv-6188

Dear Judge Wicks:

This firm represents defendant Flushing Bank in the referenced action. We write to respectfully request an extension of the current briefing deadlines, due to Plaintiffs'¹ service of a second cross motion for leave to amend the Complaint.

Flushing Bank served its motion to dismiss on November 13, 2023. In response, on December 11, 2023, Plaintiffs opposed that motion and cross-moved for leave to amend the Complaint to add additional allegation against Flushing Bank. In accordance with Court-ordered deadlines, Flushing Bank served its opposition to Plaintiffs' cross-motion and reply to the motion to dismiss on March 11, 2024.

¹ The plaintiffs in this case, as set forth in Plaintiffs' First Amended Complaint are as follows: Superb Motors Inc., Team Auto Sales LLC, Robert Anthony Urrutia, 189 Sunrise Hwy Auto LLC, Northshore Motor Leasing, LLC, Brian Chabrier, *individually and derivatively as a member of* Northshore Motor Leasing, LLC, Joshua Aaronson, *individually and derivatively as a member of* 189 Sunrise Hwy Auto, LLC, Jory Baron, 1581 Hylan Blvd Auto LLC, 1580 Hylan Blvd Auto LLC, 1591 Hylan Blvd Auto LLC, 1632 Hylan Blvd Auto LLC, 1239 Hylan Blvd Auto LLC, 2519 Hylan Blvd Auto LLC, 76 Fisk Street Realty LLC, 446 Route 23 Auto LLC and Island Auto Management, LLC (collectively "Plaintiffs").



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In the interim, the Deo Defendants², DLA Capital Partners, Libertas Funding LLC, and JP Morgan Chase Bank, N.A., served their own motions to dismiss the Complaint. On March 29, 2024, Plaintiffs opposed these motions and served another cross-motion for leave to amend the Complaint, seeking to amend the Complaint to add numerous allegations against all parties, including Flushing Bank, as well as adding both a plaintiff and defendants. Currently, replies to all motions are due April 19, 2024.

This letter is to respectfully request that the parties be granted until April 30, 2024, to serve opposition to Plaintiffs' second cross-motion for leave to amend the Complaint, as well as any replies in further support of motions to dismiss. Plaintiffs' reply to their first motion for leave to amend the Complaint would also be due on this day. Plaintiffs' reply to their second cross-motion for leave to amend the Complaint would be due on May 13, 2024, and all motions would be e-filed by May 14, 2024.

This proposed briefing schedule is submitted on consent of all parties. We thank you for your courtesies in this matter.

Respectfully submitted,

Ariel E. Ronneburger

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² The Deo Defendants consist of Anthony Deo, Sarah Deo, Harry Thomasson, Dwight Blankenship, Marc Merckling, Michael Laurie, Car Buyers NYC Inc., Gold Coast Cars of Syosset LLC, Gold Coast Cars of Sunrise LLC, Gold Coast Motors Automotive Group LLC, Gold Coast Motors of LIC LLC, Gold Coast Motors of Roslyn LLC, Gold Coast Motors of Smithtown LLC, and UEA Premier Motors Corp.